

08-18-05

JPO
PATENT

DOCKET NO.: ISIS-5246



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

Phillip Dan Cook, et al.

Confirmation No.: 2151

Application No.: 10/663,155

Group Art Unit: 1623

Filing Date: September 15, 2003

Examiner: Howard V. Owens, Jr.

For: OLIGONUCLEOTIDES CONTAINING 2'-O-MODIFIED PURINES

EXPRESS MAIL LABEL NO: EV614727611US

DATE OF DEPOSIT: *August 17, 2005*

EV614727611US

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 CFR § 1.56 and in accordance with 37 CFR §§ 1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 CFR § 1.56(b).

- ☐ In accordance with § 1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of the above identified application as set forth in § 1.491, before the mailing date of a first Office Action on the merits of the above-identified application, or

before the mailing date of a first Office Action after the filing of request for continued examination under § 1.114, no additional fee is required.

- ☒ In accordance with § 1.97(c), this Information Disclosure Statement is being filed after the period set forth in § 1.97(b) above but before the mailing date of either a Final Action under § 1.116 or a Notice of Allowance under § 1.311, or before an action that otherwise closes prosecution in the application, therefore:

☒ Certification in Accordance with § 1.97(e) is attached; or

☐ The fee of \$180.00 as set forth in § 1.17(p) is attached.

- ☐ In accordance with § 1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311 but before, or simultaneously with, the payment of the Issue Fee, therefore included are: Certification in Accordance with § 1.97(e); and the submission fee of \$180.00 as set forth in § 1.17(p).

- ☒ Copies of reference numbers **49 - 53** listed on the attached Form PTO-1449 are enclosed herewith.

- ☐ Copies of reference numbers - on the attached Form PTO 1449 are not required to be submitted pursuant to 37 CFR § 1.98(a)(2)(i).

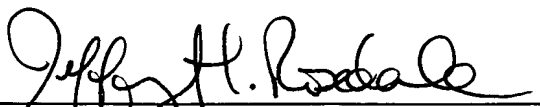
- ☐ Copies of references - are not being submitted because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application number , filed for which a claim for priority under 35 U.S.C. § 120 has been made in the instant application.

- ☐ The relevance of those listed references which are not in the English language is as follows:

There are no listed references which are not in the English language.

Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050. This form is submitted in duplicate.

Date: *August 16, 2005*



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Dear Sir:

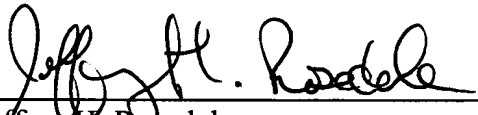
CERTIFICATION UNDER 37 CFR § 1.97(e)

In accordance with 37 CFR § 1.97(e), certification is hereby made that:

- ☒ Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.
- ☐ No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after

making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

Date: *August 16, 2005*



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Form PTO-1449 Modified List of Patent and Publications Cited by Applicant (Use several sheets if necessary) U.S. Department of Commerce Patent and Trademark Office	Docket No. ISIS-5246	Application No. 10/663,155
	Applicant Phillip Dan Cook, et al.	
	Filing Date September 15, 2003	Group 1623
	Confirmation No. 2151	
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)		
*	49	Gosselin, G., et al., "Systematic synthesis and biological evaluation of α - and β -D-lyxofusanosyl nucleosides of the five naturally occurring nucleic acid bases," <i>J. med. Chem.</i> , 1987 , 30, 962-991
*	50	Hansske, F., et al., "2' and 3'-ketonucleosides and their <i>ARABINO</i> and <i>XYLO</i> reduction products," <i>Tetrah. Letts.</i> , 1984 , 40(1), 125-135
*	51	Ikehara, M., et al., "Studies on nucleosides and nucleotides. LXXXVII. Purine cyclonucleosides. XLII. Synthesis of 2'-deoxy-2'-fluoroguanosine," <i>Chem. Pharm. Bull.</i> , 1981 , 29, 1034-1038
*	52	Uhlmann, E., et al., "Antisense oligonucleotides: A new therapeutic principle," <i>Chem. Rev.</i> , 1990 , 90(4), 543-584
EXAMINER		DATE CONSIDERED

* Cited on European Search Report dated June 30, 2005 (EP 04 07 6246).



Form PTO-1449 Modified

List of Patent and Publications
Cited by Applicant
(Use several sheets if necessary)

U.S. Department of Commerce
Patent and Trademark Office

Docket No.
ISIS-5246

Application No.
10/663,155

Applicant
Phillip Dan Cook, et al.

Filing Date
September 15,
2003

Group
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U. S. PATENT DOCUMENTS

Examiner Initial		Document No.	Date	Name	Class	Subclass

FOREIGN PATENT DOCUMENTS

Examiner Initial		Document No.	Date	Country	Translation	
					YES	NO
*	53	WO 91/06556	05/16/91	PCT		

EXAMINER

DATE CONSIDERED

* Cited on European Search Report dated June 30, 2005 (EP 04 07 6246).